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APPLICATION OF

COLUMBIA GAS OF VIRGINIA, INC.

CASE NO. PUE980287

For a general rate increase

HEARING EXAMINER'S RULING

April 29, 1999

On April 28, 1999, the Staff of the State Corporation Commission ("Staff"), by counsel, filed a Motion for Bifurcation of Hearing and Changes in Procedural Schedule ("Motion"). In its Motion, Staff seeks a second hearing date to hear evidence on the proposed new rate design of Columbia Gas of Virginia, Inc. ("Columbia Gas" or "the Company") and any accompanying rate of return issues.

The hearing for this matter currently is scheduled for June 9, 1999. However, on April 19, 1999, Columbia Gas amended its application, revising its rate design for residential and small general service customers to recover most non-gas costs through fixed monthly charges rather than through volumetric charges. Staff claims it needs additional time to investigate the proposed new rate design and requests a bifurcated hearing. Under Staff's proposal, the June 9, 1999, hearing would be convened to receive evidence on accounting and other issues raised in the Company's initial application. Evidence on the Company's proposed new rate design and any accompanying rate of return issues would be received at a hearing on July 19, 1999. In addition, for the July 19, 1999, hearing, Staff recommends Staff and Protestant testimonies be filed on June 25, 1999, and Company rebuttal on July 9, 1999. Finally, Staff avers that Columbia Gas, the Attorney General, and Industrial Protestants all support Staff's Motion.

Based on a review of the Staff's Motion and the procedural history of this matter, I find Staff's Motion should be granted, subject to the following modification. Staff did not recommend changing the date for filing a notice of protest and protest for a party that only is interested in the Company's proposed new rate design. As established by the Hearing Examiner's Ruling dated April 8, 1999, in this matter, the current date for the filing of a notice of protest and protest is April 30, 1999. This date should be extended to June 25, 1999, to ensure the participation of parties that have not entered notices of protest and protests, but may be affected by the Company's proposed new rate design if adopted. Accordingly,

IT IS DIRECTED:

(1) That a public hearing is scheduled for July 19, 1999, at 10:00 a.m. in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia, for the purpose of receiving evidence relevant to the Company's proposed new rate design and any accompanying rate of return issues;

(2) That the public hearing in this matter currently scheduled for June 9, 1999, shall be convened for the purpose of receiving evidence relevant to the application of Columbia Gas, with the exception of the Company's proposed new rate design and any accompanying rate of return issues;

(3) That, on or before June 25, 1999, persons desiring to participate as Protestants, as defined in Rule 4:6 of the Commission's Rules of Practice and Procedure ("Rules"), and who have not yet done so, shall file an original and fifteen (15) copies of a Notice of Protest, as provided in Rule 5:16(a) with the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218, referring to Case No. PUE980287, and shall serve a copy of the same upon Columbia Gas and all other parties of record;

(4) That, on or before June 25, 1999, any person desiring to participate as a Protestant, as defined in Rule 4:6 of the Commission's Rules, and who has not yet done so, shall file an original and fifteen (15) copies of a Protest conforming to Rule 5:16(b) of the Commission's Rules with the Clerk of the State Corporation Commission, and shall serve a copy of the same upon Columbia Gas and all other parties of record;

(5) That, on or before June 25, 1999, Protestants and Staff shall file an original and fifteen (15) copies of any supplemental testimony regarding the Company's proposed new rate design and any accompanying rate of return issues, and shall serve a copy of the same upon Columbia Gas and all other parties of record;

(6) That, on or before July 9, 1999, Columbia Gas shall file an original and fifteen (15) copies of any rebuttal testimony regarding its proposed new rate design and any accompanying rate of return issues, and shall serve a copy of the same upon all other parties of record; and

(7) That the procedural schedule for all issues to be addressed during the hearing scheduled for June 9, 1999, remains unchanged.

Alexander F. Skirpan, Jr.
Hearing Examiner